

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON

ROGER DWAYNE SMITH,

Plaintiff,

v.

Case No. 2:19-cv-00133

DR. PAUL, *et al.*,

Defendants.

ORDER AND NOTICE

The plaintiff has paid the full \$400 filing fee. Therefore, he is not entitled to have court officers perform service of process on his behalf and he shall be responsible for obtaining proper service of process on the defendants pursuant to the appropriate provisions of Rule 4 of the Federal Rules of Civil Procedure. In doing so, the plaintiff shall be aware of the following requirements of Rule 4(m) thereof:

(m) Time limit for service. If a defendant is not served within 90 days after the complaint is filed, the court-on motion or on its own after notice to the plaintiff-must dismiss the action without prejudice against the defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to serve in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1).

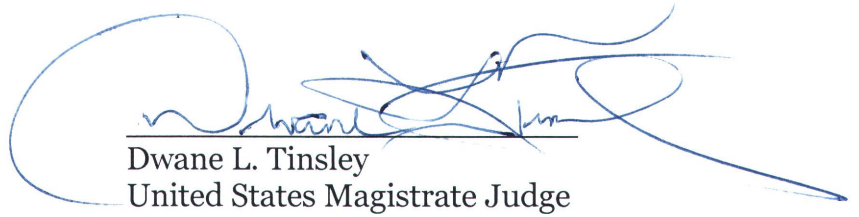
Fed. R. Civ. P. 4(m). The Rule 4(m) period shall run from the date of this Order.

It is further **ORDERED** that the plaintiff shall file a certification demonstrating proof of service on each defendant. The plaintiff is **NOTIFIED** that the failure to properly serve each defendant and to provide proof of such service within the required

time period may result in the recommended dismissal, without prejudice, of all or part of this civil action.

The Clerk is directed to issue summonses for each of the defendants named in the Complaint and to mail the same and a copy of this Order to the plaintiff.

ENTER: May 2, 2019



Dwane L. Tinsley
United States Magistrate Judge